

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.

SUMNER SQUARE
1615 M STREET, N.W.
SUITE 400
WASHINGTON, D.C. 20036-3215

(202) 326-7900

FACSIMILE:
(202) 326-7999

June 1, 2021

Via ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of Defendant Kingdom of Saudi Arabia (“Saudi Arabia”) concerning two sealed filings made by Saudi Arabia today.

One is Saudi Arabia’s response to the Plaintiffs’ Executive Committees (“Plaintiffs”) May 28, 2021 letter-motion requesting a case management conference to seek an extension of the fact discovery period. ECF No. 6829. That response and some of its accompanying exhibits contain information subject to the Privacy Act Order and Protective Order for FBI Documents, ECF No. 4255. That response also sets out the names of non-party witnesses, and so Saudi Arabia respectfully requests that the Court also accept the response under seal under the general MDL protective order, ECF No. 1900. *See* ECF No. 4696 at 13 (approving sealing under the MDL protective order to “[p]rotect[] the privacy of innocent third parties”)

The other sealed filing is Exhibit 1 to Saudi Arabia’s reply in support of its May 24, 2021 letter-motion for a protective order to limit questioning at the upcoming deposition of Musaed Al Jarrah. ECF No. 6817. That exhibit contains information subject to the general MDL protective order, ECF No. 1900. Specifically, it discloses the contents of documents subject to the Vienna Convention on Diplomatic Relations, which are properly sealed under this Court’s order of July 22, 2019, ECF No. 4696, at 8-10.

Saudi Arabia is making today’s filings under seal using the Court’s sealed ECF procedures. Copies of Saudi Arabia’s filings (clean and with highlighted proposed redactions) are being sent today by email to Your Honor’s chambers, and to counsel for Plaintiffs, the United States, and Dallah Avco. No courtesy copies of either this letter or today’s sealed filings are being sent to the chambers of Judge Daniels, as instructed by the temporary revisions to his Individual Practices in light of the ongoing public health crisis.

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.

The Honorable Sarah Netburn
June 1, 2021
Page 2

Respectfully submitted,

/s/ Michael K. Kellogg

Michael K. Kellogg
Counsel for the Kingdom of Saudi Arabia

cc: All MDL Counsel of Record (via ECF)